

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WASHINGTON C. MONTANO,

No. C 04-00543 CW

Plaintiff,

ORDER SETTING TRIAL
DATE

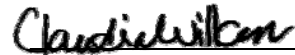
v.

CESAR L. SINNACO,

Defendant.

IT IS ORDERED that a 5 day jury trial will begin on Friday,
December 9, 2011 at 8:30 a.m. in Courtroom 2, Fourth Floor, 1301
Clay Street, Oakland, CA. Counsel for both the Plaintiff and
Defendant shall comply with the attached Order for Pretrial
Preparation.

Dated: 9/6/2011



CLAUDIA WILKEN
United States District Judge

ORDER FOR PRETRIAL PREPARATION

Each party shall submit the following seven days before trial:

a. Exhibit List and Objections. The exhibit list required by Civil L.R. 16-10(b)(7) shall list each proposed exhibit by its number (see Civil L.R. 30-2(b)), description, and sponsoring witness, followed by blanks to accommodate the date on which it is marked for identification and the date on which it is admitted into evidence. No party shall be permitted to offer any exhibit in its case-in-chief that is not disclosed in its exhibit list without leave of the Court for good cause shown. Parties shall also deliver a set of premarked exhibits to the Courtroom Deputy. The exhibit markers shall each contain the name and number of the case, the number of the exhibit, and blanks to accommodate the date admitted and the Deputy Clerk's initials. Appropriate sample forms are attached and are also available on the Court's website at www.cand.uscourts.gov.

b. Witness List. No party shall be permitted to call any witness in its case-in-chief that is not disclosed in its pretrial conference statement without leave of the Court for good cause shown.

c. Use of Discovery Responses. In addition to the requirements of Federal Rule of Civil Procedure 26(a)(3)(B), a designation of any excerpts from interrogatory answers or from responses to requests for admissions intended to be offered at trial. The parties shall indicate any objections to use of these materials.

JURY SELECTION

The Jury Commissioner will summon 20 to 25 prospective jurors. The Courtroom Deputy will select their names at random and seat them in the courtroom in the order in which their names are called.

Voir dire will be asked of sufficient venire persons so that eight (or more for a lengthy trial) will remain after all peremptory challenges and an anticipated number of hardship dismissals and cause challenges have been made.

The Court will then take cause challenges, and discuss hardship claims from the individual jurors, outside the presence of the venire. The Court will inform the parties which hardship claims and cause challenges will be granted, but will not announce those dismissals until the process is completed. Each party may then list in writing up to three peremptory challenges. The parties will review each other's lists and then submit them to the Courtroom Deputy.

Then, from the list of jurors in numerical order, the Court will strike the persons with meritorious hardships, those excused for cause, and those challenged peremptorily, and call the first eight people in numerical sequence remaining. Those people will be the jury.

All jurors remaining at the close of the case will deliberate. There are no alternates.

IT IS SO ORDERED.

CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

JUROR QUESTIONNAIRE

Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: _____

2. Your age: _____

3. Your place of birth: _____

4. Do you rent or own your own home? _____

5. Your marital status: (circle one)

single married live with partner separated divorced widowed

6. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).

7. Who is (or was) your employer?

8. How long have you worked for this employer? _____

9. Please list the occupations of any adults with whom you live.

10. If you have children, please list their ages and sex and, if they are employed, please give their occupations.

11. Please describe your educational background:

Highest grade completed: _____

College and/or vocational schools you have attended:

Major areas of study: _____

12. Have you ever served on a jury before? _____ How many times? _____

If yes: State/County Court _____ Federal Court _____

When? _____

Was it a civil or criminal case? _____

Did the jury(ies) reach a verdict? _____

13. Attached is a list of the parties in this case, the law firms representing the parties, attorneys in this case, and persons who are potential witnesses in this case. Do you know, or think you know, any of the persons listed?

Yes: _____ No: _____

If so, make a check next to their name.

Rev. 6/28/10